

AO 91 (Rev. 12-10) Criminal Complaint
 U.S. DISTRICT COURT
 NORTHERN DISTRICT OF TEXAS
FILED
NOV 13 2014
 NORTHERN
 CLERK, U.S. DISTRICT COURT
 By UNITED STATES OF AMERICA
 Deputy

United States District Court

DISTRICT OF TEXAS

3-14MJ764-BH**COMPLAINT**

V.

SERVANDO VEGA CERVANTES

CASE NUMBER: 3-14-MJ-

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 13, 2014, and continuing through on or about May 16, 2014, in the Dallas Division of the Northern District of Texas, defendant(s)

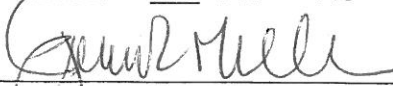
knowingly used a person under the age of eighteen years, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, which were produced using materials that had been mailed, shipped, and transported in interstate or foreign commerce by any means, including by computer, or the depiction was transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means including by computer,

in violation of Title 18, United States Code, Section(s) 2251(a).

I further state that I am a(n) Special Agent with the Federal Bureau of Investigation (FBI) and that this complaint is based on the following facts:

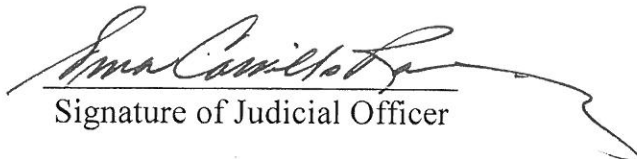
See attached Affidavit of Special Agent Jennifer Mulligan, (FBI) which is incorporated and made a part hereof by reference.

Continued on the attached sheet and made a part hereof: XX Yes No


 Signature of Complainant
 JENNIFER MULLIGAN
 Special Agent, (FBI)

Sworn to before me and subscribed in my presence, on this 13th day of Novemeber, 2014, at Dallas, Texas.

IRMA C. RAMIREZ
UNITED STATES MAGISTRATE JUDGE
 Name & Title of Judicial Officer


 Signature of Judicial Officer

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR COMPLAINT**

I, Jennifer Mullican, a Special Agent (SA) with the Federal Bureau of Investigation, being duly sworn, depose and state as follows:

Introduction

1. I have been a Special Agent with the FBI since October 2003. During my time as a Special Agent, I have investigated cases involving public corruption, white-collar crimes, and violent crimes. I am currently assigned to the FBI's Child Exploitation Task Force, Dallas Division, Dallas, Texas. As a FBI Special Agent, I am authorized to investigate violations relating to child exploitation and child pornography, including the production, receipt, transportation, possession, and distribution of child pornography, in violation of 18 U.S.C. §§ 2251, 2252 and 2252A. I have gained experience in conducting these investigations through training and through everyday work, including executing search warrants and interviewing individuals who possess, produce, and trade child pornography. I have also received training relating to the Innocent Images National Initiative, which includes training in the investigation and enforcement of federal child pornography laws in which computers and other digital media are used as a means for receiving, transmitting, and storing, and producing child pornography. As a federal agent, I am authorized to investigate violations of United States laws and to execute warrants issued under the authority of the United States.

2. The information contained in this affidavit is based on my personal knowledge and experience, as well as on information provided by other law enforcement

officers. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation.

3. The affidavit sets forth facts and suggests reasonable inferences from those facts, establishing that there is probable cause to believe that on or about May 13, 2014, and continuing on through May 16, 2014, in the Northern District of Texas, Servando Vega Cervantes (Cervantes), knowingly used a person under the age of eighteen years, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, which were produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce by any means, or the depiction was transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means including by computer, in violation of 18 U.S.C. § 2251(a). At the time of the investigation, Cervantes lived at a mobile home community in Hutchins, Texas 75141, which is located in the Northern District of Texas.

BACKGROUND OF THE INVESTIGATION

4. On or about May 20, 2014, this affiant was contacted by the Hutchins Police Department (HPD) regarding questionable online communications between an 11-year-old victim, herein identified as "AP," and the Facebook user profile of "Laura Ortiz" (Ortiz). The victim's mother, herein identified as "AM," believed the user of the Ortiz profile was actually an adult male and not a 13-year-old female as described in the chat conversations between AP and Ortiz.

5. On or about May 15, 2014, AM reported to the HPD that she allowed AP to maintain a Facebook profile as long as AM was allowed to regularly review the profile on AP's cellular telephone at any given time. After reviewing AP's profile on this day and reading a chat conversation between AP and Ortiz which AM believed to be of an adult nature, an adult male AM identified as "Jordan" (Jordan) visited her residence and spoke with AP on their porch. AM believed Jordan was using the online profile of Ortiz to deceive her son. AM provided HPD with the password to AP's Facebook profile. HPD requested assistance of this Affiant to further investigate this matter.

6. Upon review of AP's Facebook profile with a FBI Language Analyst fluent in Spanish, this Affiant noted a chat conversation between AP, using the Facebook profile of "Jun### H###," and Ortiz which was initiated on May 13, 2014, at approximately 6:48 p.m. At approximately 6:58 p.m., Ortiz asked AP if he would send her a picture of his ".1." but AP did not respond. Later, at approximately 8:42 p.m., AP asked Ortiz, "a picture of my what?" to which Ortiz replied "penis." AP agreed, and at approximately 9:14 p.m., Ortiz replied, "baby, you already have a lot of hairs." The next day, Ortiz requested AP send another image of himself standing or in a mirror. Ortiz subsequently asked AP to send another image "just like that one" but to show his face in the photograph.

7. Subsequently, on or about May 23, 2014, AP was forensically interviewed at the Collin County Children's Advocacy Center in Plano, TX. AP advised he was familiar with Jordan and had met Jordan when AP was visiting a friend's residence in the trailer community where he resides. While at his friend's residence, Jordan told AP about

Ortiz and Jordan asked AP for his Facebook information to provide to Ortiz. Later the same evening, Ortiz sent AP a "friend request" on Facebook and AP accepted the request. AP used the Facebook profile "Jun### H###" because he did not want to use his real name.

8. Also during the interview, AP admitted to sending images of "a body part" and the "front part of his body" to Ortiz, however AP would not identify the body part as his genitalia. AP advised he deleted the images from his cellular telephone so his mother would not find the images when she looked at his phone.

9. Subsequent to AP's interview, AM advised that the name, "Jordan," was an alias, and AM knew that Jordan was related to those living in close proximity to her residence. AM observed Jordan in the trailer community on a regular basis. Both HPD and this affiant initiated surveillance activities within the community in an attempt to further identify Jordan.

10. On or about October 31, 2014, AM advised the HPD that she believed Jordan was now living in the trailer community and that AM could point out his residence and his vehicle. HPD met with AM and AM pointed out a black, 4-door Acura, Texas license plate "DR###62" she believed to be owned and driven by Jordan. Database records showed this vehicle to be registered to Servando Vega Cervantes at a residence in Hutchins, TX.

11. On or about November 12, 2014, HPD and this Affiant established surveillance in close proximity to this residence in Hutchins, TX. The black Acura was observed by HPD parked in the parking stalls located in front of the residence. The

vehicle subsequently departed the location, and HPD initiated a traffic stop for failure to signal a lane change and for window tint that was too dark. Cervantes was the lone occupant of the vehicle, and he was observed operating a motor vehicle without a license. Cervantes was transported to the HPD and placed in a holding cell.

12. After being processed by HPD, Cervantes was relocated from the holding cell to an empty room in the City Hall building located across the parking lot from HPD. After being advised of the identity of the interviewing agents and subsequent to reviewing and waiving his Miranda rights, Cervantes was interviewed by SA Miguel Torres. Cervantes admitted to SA Torres that he is the user of the Ortiz Facebook profile, and he knows AP on Facebook as "Junior." Cervantes told SA Torres he used the Ortiz account to convince AP to allow Cervantes to teach AP to masturbate. Cervantes reviewed the printed chat conversation between Ortiz and AP and Cervantes acknowledged it was he who engaged in this conversation with AP. In addition, Cervantes stated he used Ortiz' Facebook profile because he was embarrassed as a male to ask for images of genitalia from other boys. Cervantes told SA Torres he understands that trying to entice minors online is illegal, and he believed that inappropriate images of AP will be found on his cellular telephone.

13. Furthermore, Cervantes advised SA Torres that he met with and taught AP how to masturbate while sitting in his vehicle in front of the mailboxes at his residence. Cervantes stated he touched AP's genitals as AP masturbated and Cervantes took photographs of AP while AP masturbated. Cervantes described AP as erect when Cervantes touched AP's genitals. Cervantes believes these photographs will be observed

on his cellular telephone.

14. Additionally, AM reviewed Cervantes' booking photograph and confirmed Cervantes was Jordan and Cervantes was the individual who met and talked with AP on their front porch.

15. A forensic preview of Cervantes' cellular telephone was conducted, and images of prepubescent males were observed on the device. However, at this time your Affiant was unable to compare these images with AP or any of the other victims identified by Cervantes. Cervantes' phone is an Apple iPhone which was not manufactured in the State of Texas.

CONCLUSION

16. Based on the aforementioned factual information, your affiant respectfully submits that there is probable cause to believe that on or about May 13, 2014, and continuing through on or about May 16, 2014, Servando Vega Cervantes knowingly used a person under the age of eighteen years, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, which were produced using materials that had been mailed, shipped, and transported in interstate or foreign commerce by any means, including by computer, or the depiction was transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means including by computer, in violation of 18 U.S.C. § 2251(a).

I respectfully request that this Court issue an arrest warrant for Servando Vega Cervantes.



Jennifer Mullican
Special Agent
Federal Bureau of Investigation

Sworn and subscribed before me this 13th day of November, 2014.



IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE